

## What Ohioans Should Know About

# Temporary Liquor Permits

## Under Ohio Liquor Laws and Rules



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Ohio's liquor control laws contain special provisions designed to permit nonprofit organizations to obtain temporary liquor permits to sell or serve alcoholic beverages at special events. There are several different classes of temporary permits available, however, the most widely utilized are the "F" and "F-2" permits.

This brochure is intended as a helpful guide to understanding the laws and rules pertaining to temporary permits. For more complete information regarding temporary permits see Ohio Revised Code sections 4303.20 through 4303.206.

### When is a Permit Needed?

- A permit is required if a qualified organization intends to provide beer, wine or spirituous liquor either for sale by the drink or through the use of an entrance fee, cover charge, etc.
- No permit is required if an individual or organization intends to provide beer, wine or spirituous liquor at a private function where access is restricted to invited guests only, such as a wedding reception for which no admission fee is charged or any alcoholic beverages sold.

### What Organizations are Eligible to Obtain a Temporary Permit?

- Any nonprofit organization with 10 or more members may qualify for most temporary permits. Examples are charitable organizations, labor unions and fraternal, educational, cultural and social groups. A permit may be issued

for use at a social, recreational, charitable, fraternal, political, patriotic or athletic function.

- NO temporary permit can be issued for the profit or gain of a private individual or to a for-profit organization.

### What Kinds of Temporary Permits are Available?

- An F permit allows the holder to sell beer for a period of no longer than five days. The application, including the \$40 fee, must be filed 30 days before the date of the function. Only two F permits may be issued for any organization in a 30-day period. (See ORC 4303.20).

- An F-2 permit allows a nonprofit organization to sell beer, wine and/or spirituous liquor by the drink until 1:00 a.m. for no longer than two days in an area that has been voted wet through local option for beer, wine and spirituous liquor. The application, including the \$150 fee (\$160 if filed jointly with a D-3, D-4 or D-5 permit holder), must be filed 30 days before the date of the function. Only two F-2 permits may be issued for any organization in a calendar year. (See ORC 4303.202).

### Purchase of Products to be Sold

- Beer must be purchased from a wholesale brewer or distributor. An F (beer only) permit holder cannot purchase beer from a retail outlet.
- An F-2 permit holder must purchase all alcoholic beverages from a wholesale outlet. D-3, D-4 or D-5 permit holders may serve

alcoholic beverages for an F-2 permit holder. Such an application must be filed jointly by the organization and the D-3, D-4 or D-5 permit holder, along with the \$160 fee. All documents must include both names. If the event is to be held on the premises of the D permit holder, an affidavit must be submitted from the D permit holder stating that the D permit privileges will not be utilized during the F-2 event.

#### Other Requirements

F or F-2 applicants must notify the Chief Peace Officer of the political subdivision of the date, time, place and duration of the event. In addition, these applicants must submit a form signed by the real property owner(s) where the event is to be held giving consent to the sale of alcoholic beverages at the special function.

Each application for an F or F-2 permit must include a description, including a drawing of the area where alcoholic beverages will be consumed. (This is necessary because of the 1982 open container law making it illegal to drink any kind of alcoholic beverage in a public place). For example, an organization holding a picnic in a park must submit a drawing of the specific location in the park where liquor will be served and/or consumed, and the type of barriers (e.g. fence, rope, etc.) that will separate the designated permit premises from other areas.

#### Other Classes of Temporary Permits

F-1: Temporary "Special Function" permit for certain nonprofit organizations at a Municipal Convention Center. Fee is \$250. (See ORC 4303.201).

F-3: Alcohol Beverage Industry Education. Fee is \$300. (See ORC 4303.203).

F-4: Certain nonprofit organizations for an event that includes the introduction, showcasing or promotion of wines produced in Ohio, to furnish 2 oz. samples and sale for on premise consumption and carry out of wine from participating A-2 permit holders. The fee is \$60 (per day). No sales after 1:00 a.m. (See ORC 4303.204).

F-5: Beer and Intoxicating liquor issued to a Riverboat at a festival sponsored by a nonprofit organization (6 days - one per calendar year). Fee is \$180. No sales after 1:00 a.m. (See ORC 4303.205).

F-6: For 501 (C)(3) nonprofit organizations to sell wine at an event organized by, conducted by, and for the benefit of the nonprofit organization. No sales after 1:00 a.m. (See ORC 4303.206).

F-7: Beer, wine, mixed beverages, and spirituous liquor issued to a nonprofit organization at a "qualified golf event", meeting certain criteria until 1 A.M. (8 days - two(2) per calendar year). Fee is \$450. (See ORC 4303.207).

**HOURS:** Holders of F and F-2 permits must cease sales by 1 a.m.

**POSTING:** A liquor permit must be posted in a conspicuous place on the premises.

**REMEMBER:** Alcoholic beverages may not be served at an event until the proper permit has been issued by the Division of Liquor Control.

No person shall sell beer or intoxicating liquor to an underage person, or buy beer or intoxicating liquor for, or furnish it to, an underage person.

Permit holders must note that it is a violation of Ohio liquor law for alcoholic beverage products to be donated to a temporary permit holder unless the donation of the product is expressly permitted by law.

**SERVING:** Temporary liquor permit holders cannot sell or serve an unlimited number of drinks for a one-time admission charge. (See OAC 4301:1-1-50).

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